

REMARKS

Review and reconsideration of the Office Action of May 18, 2005, is respectfully requested in view of the above amendments and the following remarks.

Applicant has amended the Claims to overcome the Examiner's rejection. Care has been taken to ensure that no new matter is added to the claims.

Present Invention

The present invention is a boat trailer comprising two side beams positioned adjacent to each other, wherein each of the side beams has a forward tongue forming portion converging toward the other side beam. The trailer also includes at least one cross bar member extending between the boat-supporting portion of one of the side beams and the boat-supporting portion of the other side beam. The various members of the trailer may be punched with holes in a standard pattern.

Office Action

Turning now to the Office Action in greater detail, the paragraphing of the Examiner is adopted.

Paragraph 1 (Election)

Applicant notes that the Examiner acknowledged Applicant's election of species I with traverse and advises that since Applicant has amended Claims 12-15 as dependent to an apparatus, Claims 1 and 7, respectively; all claims were be examined.

Paragraphs 2 (Claim Rejections - 35 USC § 103)

The Examiner rejected Claim 5 under 35 U.S.C. 103(a) as unpatentable for being obvious over Johnson (U.S. Patent 4,717,165) in view of Chuchua (U.S. patent 4,872,653). An "obviousness" rejection applies where the modification needed to get from the prior art to the claimed invention would be obvious to the person of ordinary skill in the art. Additionally, in order for a combination of references to render an invention obvious, it must be obvious that their teachings can be combined. In re Avery (CCPA 1975) 518 F.2d 1228, 186 USPQ 161.

In response applicant canceled claim 5, as such, withdrawal of the rejection is respectfully requested.

Paragraph 3 (Claim Rejections - 35 USC § 103)

The Examiner rejected Claims 10 and 11 under 35 U.S.C. 103(a) as being obvious over Johnson (U.S. Patent 4,717,165) in view of Allen (U.S. Patent 5,951,231). Specifically, the Examiner is of the opinion that square holes to accommodate square-neck bolts to facilitate a mounting process are known.

Applicant traverses this rejection.

In response, Applicant states that the invention teaches a system for quick and easy construction of a boat trailer, where the bolts are tightened using a socket resulting in a heavy clamp load that is sufficient to replace welds on trailers intended to transport the significant weight of **large boats**.

The Examiner is directed to paragraph [00012] where it is stated that the carriage may be used because they eliminate the need to handle the screw from both sides. Further, in the same paragraph it is stated, the carriage bolt will remain secure in a square hole; only the nut needs to be tightened. With this

feature, it is only necessary to have access to the bottom side of the bottom of the beam to tighten the nut, and the trailer can be assembled in its right-side-up position.

Because of the factual differences mentioned above, Applicant asserts that the square holes are an important feature of the invention. Specifically, the square holes solve a stated problem, **up-side-down assembly**, when assembling this type of trailer and allow for **right-side-up assembly**. Further, the prior art does not suggest the desirability of the combination and it is not a logical reason of record, which justifies the combination.

Withdrawal of the rejections is respectfully requested.

Paragraphs 4 and 5 (Allowable Subject Matter)

The Examiner objects to Claim 6 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

Applicant notes that Claim 6, depends upon Claim 5. Therefore, in response, Claim 6 is amended to include the limitation of Claim 5. Including this limiting feature in Claim 6 places the claim in condition for allowance.

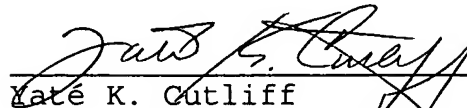
Further, Applicant notes that the Examiner allowed Claims 1-4, 7-9, and 12-15.

All claims are now in condition for allowance. Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

U.S. Application No. 10/777,494
AMENDMENT B

Attorney Docket No.: 3965.002

Respectfully submitted,


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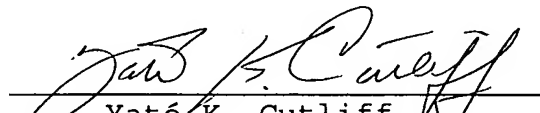
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Date: **November 18, 2005**

CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that the foregoing AMENDMENT B and the Petition for Three Months Extension of time, for U.S. Application No. 10/777,494 filed February 12, 2004, was deposited in first class U.S. mail, with sufficient postage, addressed: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **November 18, 2005**.

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.


Yaté K. Cutliff